

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

LEWIS JOHNSON, : 1:CV-00-1873
Plaintiff : (Judge McClure)
v. :
HERSHEL W. GOBER, Acting Secretary :
of Veterans Affairs; :
RODNEY KISCADDEN; ALICE FIDLER; :
PEG WINTERS; IRVIN ERICKSON; :
RAYMOND KENT; and AMERICAN :
FEDERATION OF GOVERNMENT EMPLOYEES :
LOCAL 1966, :
Defendants :

FILED
WILLIAMSPORT, PA
JUL 27 2001
MARY E. D'ANDREA, CLERK
Per Deputy Clerk

O R D E R

July 27, 2001

BACKGROUND:

An initial case management conference was held by telephone conference call on July 26, 2001. Participating in the conference, in addition to the undersigned judge, were Andrew J. Ostrowski, Esquire, attorney for plaintiff, and Kate L. Mershimer, Assistant United States Attorney, and Martin R. Cohen, Esquire, attorneys for defendants.

The court reviewed with counsel the Joint Case Management Plan.

NOW, THEREFORE, IT IS ORDERED THAT:

1. **Case Management Track.** The case is placed on a complex case management track.

2. **Extensions.** Requests for extensions of the following time periods will not be granted except under exceptional circumstances and must comply with Local Rule 7.5. Furthermore, all requests for extensions of the discovery deadline must be made at least fifteen (15) days prior to the expiration of the discovery period.

3. **Trial list.** The case is placed on the July 2002 Williamsport trial list.

4. **Discovery.** All fact discovery shall be completed on or before March 1, 2002.

4.1 Without leave of court, or stipulation, the parties will be limited to the following:

Depositions	-	Plaintiff -	10
		Defendants	10
Interrogatories	-	Plaintiff -	25
		Defendants-	25
Individual document requests	-	Plaintiff -	25
		Defendants-	25
Requests for admission	-	Plaintiff -	40
		Defendants-	40

5. **Dispositive motions.** All motions for judgment on the pleadings or for summary judgment shall be filed on or before March 15, 2002.

6. **Expert witnesses.** To the extent required by Fed. R. Civ. P. 26(a)(2), plaintiff will supply to defendants the name and report of his expert(s) on or before April 1, 2002, and

defendants will supply to plaintiff the name and report of their expert(s) on or before April 29, 2002.

6.1 Depositions of experts for use at trial in lieu of live testimony may be taken at any time prior to trial, with concurrence of counsel.

6.2 Supplemental reports of plaintiff's experts must be supplied to opposing counsel on or before May 13, 2002.

6.3 Supplemental reports of defendants' experts must be supplied to opposing counsel on or before May 27, 2002.

6.4 All depositions of an opposing party's experts under Fed. R. Civ. P. 26(b)(4) must be conducted on or before June 10, 2002.

6.5 Counsel are reminded of their continuing obligation to supplement disclosures and responses in accordance with the provisions of Fed. R. Civ. P. 26(e), which obligation is not affected by this order.

7. **Motions in limine.**

7.1 All motions in limine, other than those pertaining to testimony of experts, shall be filed on or before May 15, 2002, with supporting briefs attached. All opposing briefs shall be filed on or before May 29, 2002. No reply briefs are permitted.

7.2 Motions in limine pertaining to testimony of experts should be filed and briefed according to the foregoing schedule, but may be filed and/or supplemented at any time prior to July 1, 2002, if necessary, to reflect deposition testimony.

8. **Final pretrial/settlement conference.** A final pretrial/settlement conference will be held on May 30, 2002, at a time to be announced, in Chambers, Fourth Floor, Federal Building, 240 West Third Street, Williamsport, Pennsylvania.

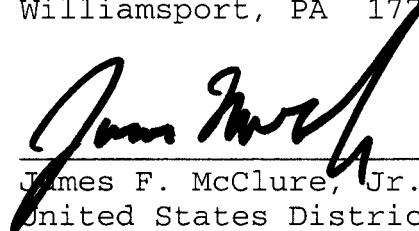
9. **Jury trial.** Jury selection will be July 1, 2002, at 9:30 a.m., Fourth Floor, Federal Building, 240 West Third Street, Williamsport, Pennsylvania.

10. **Courtesy copies.** No courtesy copies of documents shall be sent directly to the undersigned judge.

11. **Facsimile transmission.** No document may be faxed to chambers or to the clerk's office without express permission obtained in advance from the judge or his secretary or law clerk, which permission shall be limited to each document request, unless otherwise indicated.

12. **Correspondence.** As a general practice, the court will take no action based on correspondence. Counsel must adhere to the motion practice set forth in the rules.

13. **Filings.** To reduce delays in mailing documents between divisional offices, it is recommended that all future pleadings be filed in the Clerk's Office in **Williamsport** at the following address: United States District Court Clerk's Office, 240 West Third Street, Suite 218, Williamsport, PA 17701-6460.



James F. McClure, Jr.
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

* * MAILING CERTIFICATE OF CLERK * *

July 27, 2001

Re: 1:00-cv-01873 Johnson v. Gober

True and correct copies of the attached were mailed by the clerk
to the following:

Andrew J. Ostrowski, Esq.
4311 N. 6th St.
Harrisburg, PA 17110

Kate L. Mershimer, Esq.
U.S. Attorneys Office
Room 217, Federal Bldg.
228 Walnut St.
Harrisburg, Pa 17108

Martin R. Cohen, Esq.
American Federation of Government Employees
Assistant General Counsel
Ten Presidential Blvd
Bala Cynwyd, PA 19004

Mark D. Roth, Esq.
80 "F" Street, N.W.
Washington, DC 20001

cc:		
Judge	()	() Pro Se Law Clerk
Magistrate Judge	()	() INS
U.S. Marshal	()	() Jury Clerk
Probation	()	
U.S. Attorney	()	
Atty. for Deft.	()	
Defendant	()	
Warden	()	
Bureau of Prisons	()	
Ct Reporter	()	
Ctroom Deputy	()	
Orig-Security	()	
Federal Public Defender	()	
Summons Issued	()	with N/C attached to complt. and served by:
		U.S. Marshal () Pltf's Attorney ()
Standard Order 93-5	()	

Order to Show Cause () with Petition attached & mailed certified mail
to: US Atty Gen () PA Atty Gen ()
DA of County () Respondents ()

Bankruptcy Court ()
Other _____ ()

MARY E. D'ANDREA, Clerk

DATE: 7/27/01

BY: Jg
Deputy Clerk